

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH A. CRUM,)	
)	
Plaintiff,)	
v.)	C.A. No. 06-250 Erie
)	
UNITED STATES OF AMERICA,)	
et al.,)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on October 24, 2006 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's report and recommendation, filed on February 27, 2008 [Doc. # 31], recommends that the Motion to Dismiss or, in the Alternative, Motion for Summary Judgment filed on behalf of Defendants Dennis Olson, Jimmie S. Ward, Scott Dodrill, Henry J. Sadowski, and James Sherman be granted, and that the individual Defendants be dismissed from this case. The parties were allowed ten (10) days from the date of service to file objections. Plaintiff's objections [Doc. # 32] were filed on March 17, 2008.

After de novo review of the Complaint and the documents in the case, together with the Report and Recommendation and Plaintiff's objections thereto, the following order is entered:

AND NOW, this 18th Day of March, 2008, IT IS HEREBY ORDERED that the Motion to Dismiss or, in the Alternative, Motion for Summary Judgment filed on behalf of Defendants Dennis Olson, Jimmie S. Ward, Scott Dodrill, Henry J. Sadowski, and James Sherman, [contained within Document #27] be, and hereby is, GRANTED, and, accordingly, the individual Defendants are dismissed from this case. As a result,

the only remaining claim in this case is Plaintiff's FTCA claim against the United States, to which an Answer has been filed.

The report and recommendation of Chief Magistrate Judge Baxter dated February 27, 2008 [Doc. # 31] is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: all parties of record.
Chief U.S. Magistrate Judge Susan Paradise Baxter